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August 4, 2022

VIA ECF

The Honorable Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Iowa Pub. Emps.' Ret. Sys. et al. v. Bank of Am. Corp. et al.*, No. 17-cv-6221 (KPF) (SLC)

Dear Judge Failla:

We write to supplement the record and explain our opposition to Defendants' request for a 50-page opening brief. Defendants' Counsel approached us two days ago with their proposal for 50 pages for their brief. Given the colossal amount of briefing that has already been expended on these issues, we believed that request to be excessive, but offered—out of professional courtesy—to consent to them having 40 pages for their opening brief and 10 pages for their reply brief (a total of 50 pages), if we received a commensurate 50 pages for our opposition. Defendants' Counsel refused to even discuss a proposed page limit for their reply brief, stating they would not take a position on that until they received our opposition.¹ Accordingly, Plaintiffs' Counsel respectfully requests that, at most, Defendants receive a total of 50 pages of briefing—40 pages for their opposition and 10 pages for their reply—and, since reply briefs are not normally part of the briefing schedule for Objections to Reports & Recommendations, that Plaintiffs receive an equivalent 50 pages for their opposition brief.

Respectfully submitted,

/s/ Michael B. Eisenkraft
Michael B. Eisenkraft
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/s/ Daniel L. Brockett
Daniel L. Brockett
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¹ We also note that Defendants did not notify either Plaintiffs' Counsel or the Court of their "need" for 25 excessive pages in their letter motion for an extension of time. See ECF No. 564.